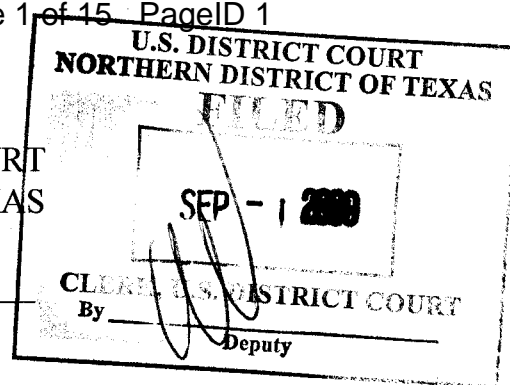


ORIGINAL

SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



UNITED STATES OF AMERICA

v.

CHASTITY LYNN FAULKNER (1) §
MICHAEL BLAINE FAULKNER (2) §
BRIAN PATRICK HANEY (3) §
ERIC BYRON LITTLEJOHN II (4) §
NATHAN TODD SHAFER (5) §
MATTHEW NORMAN SIMPSON (6) §
ALICIA CARGILL SMALLWOOD (7) §
JASON CARTER WATTS (8) §
WILLIAM MICHAEL WATTS (9) §

No.

8-09 CR 249-DFiled Under SealINDICTMENT

The Grand Jury Charges:

Count One

Conspiracy to Exceed Authorized Access to a Protected Computer
(18 U.S.C. §1030(b) (18 U.S.C. §1030(a)(4))

Beginning in or about March 2003, and continuing until in or about July 2009, in the Dallas Division of the Northern District of Texas and elsewhere, defendants **Chastity Lynn Faulkner, Michael Blaine Faulkner, Brian Patrick Haney, Eric Byron Littlejohn II, Nathan Todd Shafer, Matthew Norman Simpson, Alicia Cargill Smallwood, Jason Carter Watts, and William Michael Watts** did knowingly and intentionally conspire and agree with each other and with others known and unknown to

the Grand Jury, to commit certain offenses against the United States, that is to knowingly and with intent to defraud, exceed authorized access to a protected computer, and by such conduct furthered the intended fraud and obtained anything of value, namely bandwidth minutes provided by various telecommunications companies, such as AT&T, Verizon, XO Communications, SMARTnet VOIP, Waymark Communications, and Grande Communications valued in excess of \$12,000,000.00.

In violation of 18 U.S.C. §1030(b) (18 U.S.C. §1030(a)(4)).

Count Two
Forfeiture Allegation
[18 U.S.C. §1030(i) and (j)]

Upon conviction of the offense alleged in Count One of this Indictment and pursuant to 18 U.S.C. §1030(i), the defendants **Chastity Lynn Faulkner, Michael Blaine Faulkner, Nathan Todd Shafer, and Matthew Norman Simpson** shall forfeit to the United States of America any personal property that was used or intended to be used to commit or to facilitate the commission of such offense, and any real or personal property constituting or derived from any proceeds that such person obtained, directly or indirectly, as a result of such violation.

The above-referenced property subject to forfeiture includes, but is not limited to, the following:

Property

(only the last 4 digits of a financial account number are listed)

1. \$25,681.30 in funds contained in Account XXXX8340 in the name of Core IP Networks at Citizens National Bank of Texas, Waxahachie, Texas, seized on or about April 2, 2009.
[sought from **Matthew Norman Simpson**]
2. \$283,431.74 in funds contained in Account XXXX1898 in the name of Simpson Burwell, Ltd. at Citizens National Bank of Texas, Waxahachie, Texas, seized on or about April 2, 2009.
[sought from **Matthew Simpson**]

3. \$2,652.96 in funds contained in Account XXXXXX2104 in the name of Spider Development Corporation at JPMorgan Chase Bank, Dallas, Texas, seized on or about March 11, 2009.
[sought from **Nathan Todd Shafer**]
4. The real property at 8641 Glenturret Drive, Ovilla, Ellis County, Texas.
[sought from **Matthew Simpson**]
5. The total amount of proceeds obtained, directly or indirectly, as a result of the offense.
[sought from all defendants]

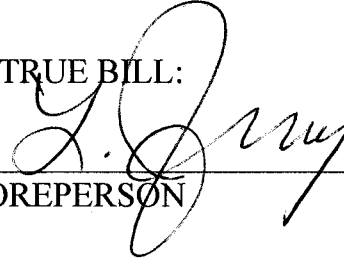
Substitute Assets

Pursuant to 21 U.S.C. §853(p), if any of the above-described real and/or personal property, as a result of any act or omission of the previously-mentioned defendants, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, the United States of America intends to


seek forfeiture of any other property of the previously-mentioned defendants up to the value of the above-described property subject to forfeiture.

A TRUE BILL:

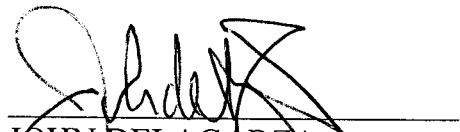
FOREPERSON



JAMES T. JACKS
UNITED STATES ATTORNEY



CANDINA S. HEATH
Assistant United States Attorney
State of Texas Bar No. 09347450
1100 Commerce Street, 3rd Floor
Dallas, Texas 75242
Telephone: 214.659.8600
candina.heath@usdoj.gov



JOHN DELAGARZA
Assistant United States Attorney
State of Texas Bar No. 00796455
1100 Commerce Street, 3rd Floor
Dallas, Texas 75242
Telephone: 214.659.8600
john.delagarza@usdoj.gov

SEALEDU.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXASIN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SEP - 1 2009

CLERK, U.S. DISTRICT COURT

By Deputy

UNITED STATES OF AMERICA

v.

CHASTITY LYNN FAULKNER(1)
MICHAEL BLAINE FAULKNER(2)
BRIAN PATRICK HANEY(3) (3)
ERIC LITTLEJOHN II (4)
NATHAN TODD SHAFER(5)
MATTHEW NORMAN SIMPSON(6)
ALICIA CARGILL SMALLWOOD(7)
JASON C. WATTS (8)
WILLIAM MICHAEL WATTS(9)

SEALED INDICTMENT

3-09 CR 249-D

18 U.S.C. § 1030(b)(18 U.S.C. § 1030(a)(4)

Conspiracy to Exceed Authorized Access to a Protected Computer

18 U.S.C. 1030(i) and(j); 21 U.S.C. § 853(a) and (p); 28 U.S.C. § 2461;

18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2)

Forfeiture Allegation

2 Counts

A true bill rendered:

DALLAS

FOREPERSON

Filed in open court this ____ day of _____, A.D. 2009.

Clerk

ISSUE ARREST WARRANTS: CHASTITY LYNN FAULKNER; MICHAEL BLAINE FAULKNER; BRIAN PATRICK HANEY; ERIC LITTLEJOHN II; NATHAN TODD SHAFER; MATTHEW NORMAN SIMPSON; ALICIA CARGILL SMALLWOOD; JASON C. WATTS; WILLIAM MICHAEL WATTS

UNITED STATES DISTRICT/MAGISTRATE JUDGE

No Magistrate Complaint Pending

ORIGINAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

Related Case Information

Superseding Indictment: ☐ Yes ☒ No New Defendant: ☒ Yes ☐ NoPending CR Case in NDTX: ☐ Yes ☒ No If Yes, number: _____Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118R 20 from District of N/A Magistrate Case Number N/A

1. Defendant Information

Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☒ Yes ☐ No

Defendant Name

CHASTITY LYNN FAULKNER (1)

Alias Name

f/k/a Chastity Lynn Tutor

Address

County in which offense was committed:

Dallas

2. U.S. Attorney Information

Candina S. HeathBar # 09347450

3. Interpreter

☐ Yes ☒ No

If Yes, list language and/or dialect: _____

4. Location Status

Arrest Date: Issue arrest warrant

☐ Already in Federal Custody _____ in _____

☐ Already in State Custody _____

☐ On Pretrial Release

5. U.S.C. Citations

Total # of Counts as to This Defendant: 2☐ Petty☐ Misdemeanor☒ Felony

Citation

Description of Offense Charged

Count(s)

18 U.S.C. § 1030(b)

18 U.S.C. § 1030(a)(4)

Conspiracy to Exceed Authorized Access
to a Protected Computer

1

18 U.S.C. § 1030(i) and (j);

21 U.S.C. § 853(a) and (p);

28 U.S.C. § 2461;

18 U.S.C. §§ 981(a)(1)(C) and 982 (a)(2)

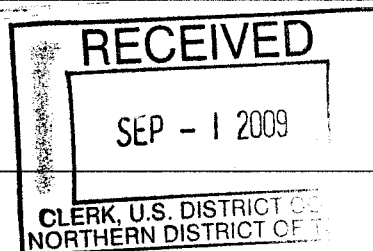
Forfeiture Allegation

2

Date

8-2-09

Signature of AUSA:



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

Related Case Information

Superseding Indictment: ☐ Yes ☒ No New Defendant: ☒ Yes ☐ No
Pending CR Case in NDTX: ☐ Yes ☒ No If Yes, number: _____
Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;
3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118
R 20 from District of N/A Magistrate Case Number N/A

1. Defendant Information

Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☒ Yes ☐ No

Defendant Name

MICHAEL BLAINE FAULKNER (2)

Alias Name

Address

County in which offense was committed:

Dallas

2. U.S. Attorney Information

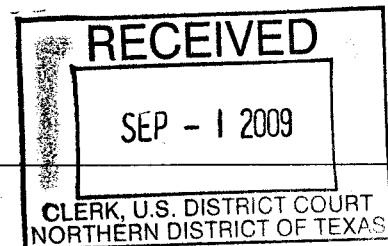
Candina S. Heath

Bar # 09347450

3. Interpreter

☐ Yes ☒ No

If Yes, list language and/or dialect: _____



4. Location Status

Arrest Date: Issue arrest warrant

- ☐ Already in Federal Custody _____ in _____
☐ Already in State Custody
☐ On Pretrial Release

5. U.S.C. Citations

Total # of Counts as to This Defendant: 2

☐ Petty

☐ Misdemeanor

☒ Felony

Citation

Description of Offense Charged

Count(s)

18 U.S.C. § 1030(b)
18 U.S.C. § 1030(a)(4)

Conspiracy to Exceed Authorized Access
to a Protected Computer

1

18 U.S.C. § 1030(i) and (j);
21 U.S.C. § 853(a) and (p);
28 U.S.C. § 2461;
18 U.S.C. §§ 981(a)(1)(C) and 982 (a)(2)

Forfeiture Allegation

2

Date 8-31-09

Signature of AUSA:

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

Related Case Information

Superseding Indictment: ☐ Yes ☒ No New Defendant: ☒ Yes ☐ No
Pending CR Case in NDTX: ☐ Yes ☒ No If Yes, number: _____
Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;
3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118
R 20 from District of N/A Magistrate Case Number N/A

1. Defendant Information

Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☒ Yes ☐ No

Defendant Name

BRIAN PATRICK HANEY (3)

Alias Name

Address

County in which offense was committed:

Dallas

2. U.S. Attorney Information

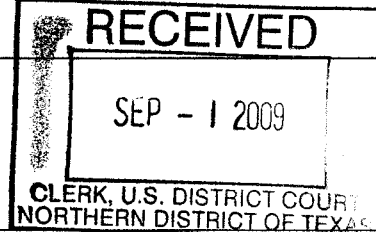
Candina S. Heath

Bar # 09347450

3. Interpreter

☐ Yes ☒ No

If Yes, list language and/or dialect: _____



4. Location Status

Arrest Date: Issue arrest warrant

☐ Already in Federal Custody _____ in _____
☐ Already in State Custody
☐ On Pretrial Release

5. U.S.C. Citations

Total # of Counts as to This Defendant: 1

☐ Petty

☐ Misdemeanor

☒ Felony

Citation

18 U.S.C. § 1030(b)
18 U.S.C. § 1030(a)(4)

Description of Offense Charged

Conspiracy to Exceed Authorized Access
to a Protected Computer

Count(s)

1

Date

8-31-09

Signature of AUSA:

A handwritten signature in black ink, appearing to be "C. Heath", written over a horizontal line.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

Related Case Information

Superseding Indictment: ☐ Yes ☒ No New Defendant: ☒ Yes ☐ No
Pending CR Case in NDTX: ☐ Yes ☒ No If Yes, number: _____
Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;
3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118
R 20 from District of N/A Magistrate Case Number N/A

1. Defendant Information

Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☒ Yes ☐ No

Defendant Name

ERIC BYRON LITTLEJOHN, II (4)

Alias Name

Address

County in which offense was committed:

Dallas

2. U.S. Attorney Information

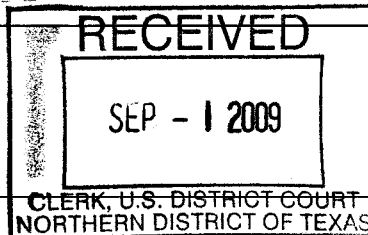
Candina S. Heath

Bar # 09347450

3. Interpreter

☐ Yes ☒ No

If Yes, list language and/or dialect: _____



4. Location Status

Arrest Date: Issue arrest warrant

☐ Already in Federal Custody _____ in _____
☐ Already in State Custody
☐ On Pretrial Release

5. U.S.C. Citations

Total # of Counts as to This Defendant: 1

☐ Petty

☐ Misdemeanor

☒ Felony

Citation

18 U.S.C. § 1030(b)
18 U.S.C. § 1030(a)(4)

Description of Offense Charged

Conspiracy to Exceed Authorized Access
to a Protected Computer

Count(s)

1

Date

8-31-09

Signature of AUSA:

A handwritten signature in black ink, appearing to be "C. Heath", written over a horizontal line.

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS

Related Case Information

Superseding Indictment: ☐ Yes ☒ No New Defendant: ☒ Yes ☐ NoPending CR Case in NDTX: ☐ Yes ☒ No If Yes, number: _____Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118R 20 from District of N/A Magistrate Case Number N/A

1. Defendant Information

Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☒ Yes ☐ No

Defendant Name

NATHAN TODD SHAFER (5)

Alias Name

Address

County in which offense was committed:

Dallas

2. U.S. Attorney Information

Candina S. HeathBar # 09347450

RECEIVED

SEP - 1 2009

CLERK, U.S. DIST.
NORTHERN DISTRICT

3. Interpreter

☐ Yes ☒ No

If Yes, list language and/or dialect: _____

4. Location Status

Arrest Date: Issue arrest warrant

☐ Already in Federal Custody _____ in _____
☐ Already in State Custody
☐ On Pretrial Release

5. U.S.C. Citations

Total # of Counts as to This Defendant: 2☐ Petty☐ Misdemeanor☒ Felony

Citation

Description of Offense Charged

Count(s)

18 U.S.C. § 1030(b)

Conspiracy to Exceed Authorized Access
to a Protected Computer

1

18 U.S.C. § 1030(a)(4)

18 U.S.C. § 1030(i) and (j);

Forfeiture Allegation

2

21 U.S.C. § 853(a) and (p);

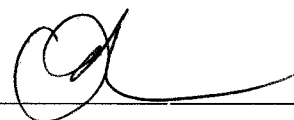
28 U.S.C. § 2461;

18 U.S.C. §§ 981(a)(1)(C) and 982 (a)(2)

Date

8-31-09

Signature of AUSA:



UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS

Related Case Information

Superseding Indictment: ☐ Yes ☒ No New Defendant: ☒ Yes ☐ No
 Pending CR Case in NDTX: ☐ Yes ☒ No If Yes, number: _____
 Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;
3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118
 R 20 from District of N/A Magistrate Case Number N/A

1. Defendant Information

Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☒ Yes ☐ No

Defendant Name

MATTHEW NORMAN SIMPSON (6)

Alias Name

Address

County in which offense was committed:

Dallas

2. U.S. Attorney Information

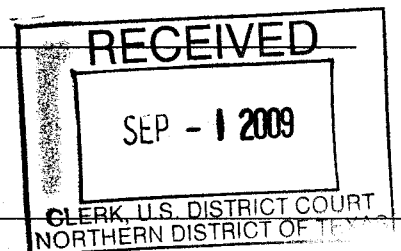
Candina S. Heath

Bar # 09347450

3. Interpreter

☐ Yes ☒ No

If Yes, list language and/or dialect: _____



4. Location Status

Arrest Date: Issue arrest warrant

- ☐ Already in Federal Custody _____ in _____
☐ Already in State Custody
☐ On Pretrial Release

5. U.S.C. Citations

Total # of Counts as to This Defendant: 2

☐ Petty

☐ Misdemeanor

☒ Felony

Citation

Description of Offense Charged

Count(s)

18 U.S.C. § 1030(b)
 18 U.S.C. § 1030(a)(4)

Conspiracy to Exceed Authorized Access
 to a Protected Computer

1

18 U.S.C. § 1030(i) and (j);
 21 U.S.C. § 853(a) and (p);
 28 U.S.C. § 2461;
 18 U.S.C. §§ 981(a)(1)(C) and 982 (a)(2)

Forfeiture Allegation

2

Date

8-31-09

Signature of AUSA:

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS****Related Case Information**Superseding Indictment: ☐ Yes ☒ No New Defendant: ☒ Yes ☐ NoPending CR Case in NDTX: ☐ Yes ☒ No If Yes, number: _____Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118R 20 from District of N/A Magistrate Case Number N/A**1. Defendant Information**Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☒ Yes ☐ No

Defendant Name

ALICIA CARGILL SMALLWOOD (7)

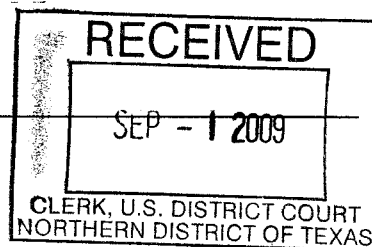
Alias Name

Address

County in which offense was committed:

Dallas**2. U.S. Attorney Information**Candina S. HeathBar # 09347450**3. Interpreter**☐ Yes ☒ No

If Yes, list language and/or dialect: _____

**4. Location Status**

Arrest Date: Issue arrest warrant

- ☐ Already in Federal Custody _____ in _____
☐ Already in State Custody
☐ On Pretrial Release

5. U.S.C. CitationsTotal # of Counts as to This Defendant: 1☐ Petty☐ Misdemeanor☒ Felony**Citation**

18 U.S.C. § 1030(b)
18 U.S.C. § 1030(a)(4)

Description of Offense Charged

Conspiracy to Exceed Authorized Access
to a Protected Computer

Count(s)1

Date

8.31.09

Signature of AUSA:

A handwritten signature in black ink, appearing to be "C. Heath", written over a horizontal line.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS****Related Case Information**Superseding Indictment: ☐ Yes ☒ No New Defendant: ☒ Yes ☐ NoPending CR Case in NDTX: ☐ Yes ☒ No If Yes, number: _____Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118R 20 from District of N/A Magistrate Case Number N/A**1. Defendant Information**Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☒ Yes ☐ No

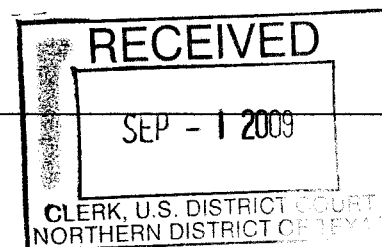
Defendant Name

JASON CARTER WATTS (8)

Alias Name

Address

County in which offense was committed:

Dallas**2. U.S. Attorney Information**Candina S. HeathBar # 09347450**3. Interpreter**☐ Yes ☒ No

If Yes, list language and/or dialect: _____

4. Location Status

Arrest Date: Issue arrest warrant

- ☐ Already in Federal Custody _____ in _____
☐ Already in State Custody
☐ On Pretrial Release

5. U.S.C. CitationsTotal # of Counts as to This Defendant: 1☐ Petty☐ Misdemeanor☒ Felony**Citation**

18 U.S.C. § 1030(b)
18 U.S.C. § 1030(a)(4)

Description of Offense Charged

Conspiracy to Exceed Authorized Access
to a Protected Computer

Count(s)1

Date

8-3-09

Signature of AUSA:

A handwritten signature in black ink, appearing to be "AUSA" followed by a stylized flourish.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS****Related Case Information**Superseding Indictment: ☐ Yes ☒ No New Defendant: ☒ Yes ☐ NoPending CR Case in NDTX: ☐ Yes ☒ No If Yes, number: _____Search Warrant Case Number 3:09-MJ-75;3:09-MJ-76;3:09-MJ-77;3:09-MJ-78;3:09-MJ-79;3:09-MJ-112;3:09-MJ-113;3:09-MJ-114;3:09-MJ-115;3:09-MJ-118R 20 from District of N/A Magistrate Case Number N/A**1. Defendant Information**Juvenile: ☐ Yes ☒ No

If Yes, Matter to be sealed:

☒ Yes ☐ No

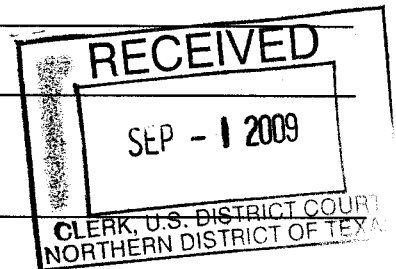
Defendant Name

WILLIAM MICHAEL WATTS (9)

Alias Name

Address

County in which offense was committed:

Dallas**2. U.S. Attorney Information**Candina S. HeathBar # 09347450**3. Interpreter**☐ Yes ☒ No

If Yes, list language and/or dialect: _____

4. Location Status

Arrest Date: Issue arrest warrant

- ☐ Already in Federal Custody _____ in _____
☐ Already in State Custody
☐ On Pretrial Release

5. U.S.C. CitationsTotal # of Counts as to This Defendant: 1☐ Petty☐ Misdemeanor☒ Felony**Citation**

18 U.S.C. § 1030(b)
18 U.S.C. § 1030(a)(4)

Description of Offense Charged

Conspiracy to Exceed Authorized Access
to a Protected Computer

Count(s)1

Date

8-31-09

Signature of AUSA:

A handwritten signature in cursive script, appearing to be "Cd", written over a horizontal line.